



Attorney Docket No.: 02-107010US Client Reference No.: 0186.210US

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: NOVEL GLYPHOSATE N-ACETYL TRANSFERASE (GAT) GENES the specification of which was filed on October 29, 2001 as Application No. 10/004,357.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreig	n Application(s)			
ļadīs 1986				Priority Claimed Under
1.05	Country	Application No.	Date of Filing	35 USC 119
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I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/244,385	October 30, 2000

I diam the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Residence & Citizenship: Mountain View California the United States Post Office Address: 784 Hans Avenue, Mountain View, CA 94040 Full Name of Inventor 2: Dan Siehl Residence & Citizenship: Mountain View, CA 94040 Post Office Address: 784 Hans Avenue, Mountain View, CA 94040 Residence & Citizenship: Mountain View, CA 94040 Post Office Address: 784 Hans Avenue, Mountain View, CA 94025 Full Name of Inventor 3: Country of Citizenship: California the United States Post Office Address: 784 Hans Avenue, Mountain View, CA 94025 Full Name of Inventor 3: Lorraine J. Giver Residence & City: State/Foreign Country: Country of Citizenship: California the United States Post Office Address: 784 Hans Avenue, Mountain View, CA 94025 Full Name of Inventor 4: 2538 Hawkington Ct., Santa Clara, CA 95051 USA Full Name of Inventor 4: Inventor 5: Inventor 6: Inventor 7: Inventor 7: Inventor 7: Inventor 6: Inventor 7: Inventor 7		Full Name of	Full Name:				
Citizenship: Post Office Address: 784 Hans Avenue, Mountain View, CA 94040 Full Name of Inventor 2: Dan Siehl Residence & City: Post Office Address: 310 Durham Street, Mountain View, CA 94025 Full Name of Inventor 3: Post Office Address: Address: Address: Address: Post Office Address: Address: Address: Address: Address: Post Office Address: Address: Address: Address: Address: Post Office Address: Addres		Inventor 1:	Linda A. Castle				
Post Office Address: 784 Hans Avenue, Mountain View, CA 94040 Full Name of Inventor 2: Dan Siehl Residence & Citizenship: Mountain View California the United States Post Office Address: 10 Durham Street, Mountain View, CA 94025 Full Name of Inventor 3: Full Name of Inventor 3: Lorraine J. Giver Residence & City: State/Foreign Country: Country of Citizenship: Country of Citizenship: California the United States Post Office Address: 10 Durham Street, Mountain View, CA 94025 Full Name of Inventor 3: Lorraine J. Giver Residence & City: State/Foreign Country: Country of Citizenship: California the United States Post Office Post Office Address: 2538 Hawkington Ct., Santa Clara, CA 95051 USA Pull Name of Inventor 4: Jeremy Minshull Residence & City: State/Foreign Country: Country of Citizenship: Citizenship: Menlo Park California the United Kingdom Post Office Post Office Address: 842 Hermosa Way, Menlo Park, CA 94025 Full Name of Inventor 5: Christina Ivy Residence & City: State/Foreign Country: Country of Citizenship: San Jose LOS MIDS California the United States Post Office Post Office Address: 1349 Flora Avenue, San Jose, CA 95130 1020 LOMA FILE CT. LOS ATTOS 9402 Full Name of Inventor 6: Vong Hong Chen Residence & City: State/Foreign Country: Country of Citizenship: China Post Office Address: 1349 Flora Avenue, San Jose, CA 95130 1020 LOMA FILE CT. LOS ATTOS 9402 Full Name of Inventor 6: Vong Hong Chen Residence & City: State/Foreign Country: Country of Citizenship: China Post Office Address: 1328 Vega Circle, Foster City, CA 94404 Full Name of Inventor 7: Nicholas B. Duck Residence & City: State/Foreign Country: Country of Citizenship: China Post Office Address: 1282 Vega Circle, Foster City, CA 94404 Full Name of Inventor 7: Nicholas B. Duck Residence & City: State/Foreign Country: Country of Citizenship: Country of Citizenship: Country of Citizenship: Country Office Post Office Address: North Carolina the United States		Residence &	•				
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Full Name of Inventor 2: Dan Siehl Residence & Citizenship: Post Office Address: Mountain View. Post Office Address: Mountain View. Post Office Address: Mountain View. Post Office Address: July Name: California Inventor 3: Durham Street, Mountain View, CA 94025 Full Name of Inventor 3: Bruil Name: Lorraine J. Giver Residence & City: Santa Clara California the United States Post Office Address: Obst Office Address: Address: Sastefforeign Country: Country of Citizenship: California the United States Post Office Address: Address: Dereny Minshull Residence & City: Santa Clara California the United States Post Office Address:		Post Office	Post Office Address:				
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Address: 1227 Tartarian Trail, Apex, NC 27502	Į	Address:	1221 Tartarian Trail, Apex, NC 2	7502			

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Signature of Inventor 2 Pan Sight	Signature of Inventor 3
Date 07 13 - 07	Date 2/6/0Z
UIS	
Signature of Inventor 5 AF Christina Ivy Date 2/13/02	Signature of Inventor 6 Yong Hong Chen Date 2/11/02
Signature of Inventor 7 Nicholas B. Duck Date	
	Dan Siehl Date 02 -13 - 07 Signature of Inventor 5 Christina Ivy Christina Ivy Date 2/13/02 Signature of Inventor 7

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Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
Linda A. Castle	Dan Siehl	Lorraine J. Giver
Date	Date	Date
Signature of Inventor 4 Jeremy Minshull	Signature of Inventor 5 Christina Ivy	Signature of Inventor 6 Yong Hong Chen
Date	Date	Date
Street, Marrie and Street, Marri	Signature of Inventor 7 Meeless B. Dock Date February 25, 2002	

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POWER ATTORNEY OR AUTHORIZATION OF AGENT, NOT ACCOMPANYING APPLICATION

Application Number	10/004,357
Filing Date	October 29, 2001
First Named Inventor	Linda A. Castle
Group Art Unit	1645
Examiner Name	Unassigned
Attorney Docket Number	02-107010US

I hereby appoint:					
X Practitioners at Cu	stomer Number	22798			
AND		Type Customer Num	ber Here	22798	
AND				PATENT TRADEHARK OFFICE	
χ Practitioner(s) name	d below:			FRICAL PRINCIPAR OFFICE	
	Name			Registration Number	
Norman J. k			35,235	registration runibei	
Sharon Fujit			38,459		İ
Joanne Peti			42,995		
Margaret A.			39,804		
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Applicant.					
X Assignee of	record of the entire	e interest (<i>Certificat</i>	e under :	37 CFR 3.73(b) is enclosed)	
SIGNATURE of Applicant or Assignee of Record					
Name Mic	Name Michael S. Rabson				
Signature X Lullul Kul					
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I hereby certify that this correspondence is being deposited with the United States as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:					
Typed or printed name Juliana Hermes					
Signature	Mulam	a Golson.		Date March 15, 268	٦ ا
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STATEMENT UND		for use through 09/30/02000. OMB 0651-003
Applicant: Linda A. Castle, et al.		
Application No.: 10/004,357	Filed:	October 29, 2001
Entitled: NOVEL GLYPHOSATE N-ACETY		
Maxygen, Inc. , a	corpo	
(Name of Assignee) (Type o	f Assignee, e.g., corporation, partner	ership, university, government agency, etc)
states that it is:		
the assignee of the entire right, title,	and interest; or	
2. an assignee of an undivided part inte	erest	
n the patent application identified above by virtue	e of either:	
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which a copy thereof is attached. OR		
B. [] A chain of title from the inventor(s), of the	e patent application ic	lentified above, to the
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Reel, Frame, or for which		
[] Additional documents in the chain of title	are listed on a supple	emental sheet
X]Copies of assignments or other documents in	n the chain of title are	attached.
The undersigned (whose title is supplied below) i	s_empowered to sign	this-statement on behalf of
he assignee.		
2/13/02	* held R	\
· Date	Siğnatu Michael S. Rabso	n
-	General Coupsel. And Senior Vice P	ed name
_	Title	
	ritie	

Form PTO-1595 Recordation Form Cover Sheet Patents Only , Page 2

Additional name(s) of conveying party(ies): (Continued from Page 1)

Dan Siehl Lorraine J. Giver Jeremy Minshull Cristina Ivy Yong Hong Chen



Additional name(s) and address(es) of receiving party(ies): (Continued from Page 1)

Additional application number(s) or patent number(s):
Continued from Page 1)

A. Patent Application No.(s)

U

time the was the time the

B. Patent No.(s)



ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Linda A. Castle, of 784 Hans Avenue, Mountain View, CA 94040, Dan Siehl of 310 Durham Street, Mountain View, CA 94025, Lorraine J. Giver of 2538 Hawkington Ct., Santa Clara, CA 95051 USA, Jeremy Minshull, 842 Hermosa Way, Menlo Prk, CA 94025, Christina Ivy of 1349 Flora Avenue, San Jose CA 95130, and Yong Hong Chen of \$828 Vega Circle, Foster City, CA 94404 hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

The of invention:	TRANSFERASE (GAT) GENES	
Filing Date:	October 29, 2001	
Application No.:		ıd

WHEREAS, Maxygen, Inc., a Delaware corporation, located at 515 Galveston Drive, Redwood City, California 94063 United States of America, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and which claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.



Assignment

Application No.: 10/004,357 Page 2

IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

Dated: 2-8-02	Linda A. Castle
SIGNATURE WITNESSED BY: (1) Date: 2 8 02	Signature of Witness 1
Dated:	Dan Siehl
SIGNATURE WITNESSED BY: (1) Date: 213/02	Signature of Witness 1
Dated: 2/6/02	Lorraine J. Giver
SIGNATURE WITNESSED BY: (1) Date: 2/6/02	Signature of Witness 1

Assignment Application No.: 10/004,357 Page 3	COF
Dated: 6 Feb 2002	Jeremy Minshull
SIGNATURE WITNESSED BY: (1) Date: 2/6/02	Signature of Witness 1
Dated: $\frac{2/13/02}{02}$ SIGNATURE WITNESSED BY: (1) Date: $\frac{2/13/02}{02}$	Christina Ivy White West Signature of Witness 1
Dated: 2/11/02 SIGNATURE WITNESSED BY:	Yong Hong Chen
(1) Date: 411/02	Wrane Wee

Signature of Witness 1



POWER OF ATTORNEY OR AUTHORIZATION OF AGENT, NOT ACCOMPANYING APPLICATION

Application Number	10/004,357
Filing Date	October 29, 2001
First Named Inventor	Linda A. Castle
Group Art Unit	1645
Examiner Name	Unassigned
Attorney Docket Number	02-107010US

I hereby appoint: X Practitioners at Customer Number	22798	
	Type Customer Number Here	22798
AND		
X Practitioner(s) named below:		PATENT TRADENARK OFFICE
Name	Regist	ration Number
Norman J. Kruse	35,235	
Sharon Fujita	38,459	
Joanne Petithory	42,995	
Margaret A. Powers Christopher M. Holman	39,804	
Louise Foutch	40,021 37,133	
Louise i Outoil	1 37,133	
X The above-mentioned Custo DR Firm or Individual Name	mer Number.	
Address		
Address		
City	State	Zip
Country		
Telephone	Fax	
	part interest (<i>Certificate under 37 C</i> RE of Applicant or Assignee of Reco	,
Name Herbert H. Jervi	is, Vice President and Chi	ef Intellectual Property Co
Signature Serbin	Gewin	
Date 2/7/04		
	CERTIFICATE OF MAILING	
	CERTIFICATE OF WAILING	
hereby certify that this correspondence is being depo	osited with the United States as first class ma	ail in an envelope addressed to: 15, みのよ
I hereby certify that this correspondence is being depo Assistant Commissioner for Patents, Washington, D.C Typed or printed name	osited with the United States as first class ma	ail in an envelope addressed to: 「ち」みなえ

PTO/SB/96 (2-98) Approved for use through 09/30/02000 OMB 0651-0031

	STATEMENT UNDE	R 37 CFR 3.73	<u>(b)</u>
App	olicant: Linda A. Castle, et al.		
App	olication No.: 10/004,357	Filed:	October 29, 2001
Ent	itled: NOVEL GLYPHOSATE N-ACETYL	TRANSFERASE (GAT) GENES
Pio Inc.	neer Hi-Bred International, , a	corpo	pration
	(Name of Assignee) (Type of A	ssignee, e g , corporation, partn	ership, university, government agency, etc.)
states	that it is:		
1.	the assignee of the entire right, title, ar	nd interest; or	
2. X	an assignee of an undivided part intere	est	
in the p	patent application identified above by virtue	of either:	
A. []	An assignment from the inventor(s) of the assignment was recorded in the Patent and which a copy thereof is attached.	patent application id d Trademark Office	dentified above. The at Reel, or for
OR	which a copy thereof is attached.		
B.[]	A chain of title from the inventor(s), of the pourrent assignee as shown below:	patent application ic	dentified above, to the
1.	From: To The document was recorded in the Patent Reel, Frame, or for which a	o: and Trademark Off copy thereof is atta	ice at ached.
2.	From: To The document was recorded in the Patent Reel, Frame, or for which a		
3.	From: To The document was recorded in the Patent Reel, Frame, or for which a	o: and Trademark Off copy thereof is atta	ice at
[]	Additional documents in the chain of title ar	re listed on a supple	emental sheet
[X]Co	pies of assignments or other documents in t	he chain of title are	attached.
The until the ass	2/7/ov	Signatu Signatu rbert H. Jervis Typed or printe	re sed name
	Vic	Title	d Chief Intellectual Property Counsel





NOVEMBER 20, 2001

JONATHAN A. QUINE P.O. BOX 458

ALAMEDA, CA 94501

LAW OFFICES OF JONATHAN ALAN

Under Secretary of Commerce For Intellectual Property and Director of the United States Patent and Trademark Office Washington, DC 20231

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LAW OFFICES OF JONATHAN ALAN QUINE

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY GONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/10/2001

REEL/FRAME: 012149/0868

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

DUCK, NICHOLAS B.

DOC DATE: 07/30/2001

ASSIGNEE:

PIONEER HI-BRED INTERNATIONAL,

INC.

800 CAPITAL SQUARE

400 LOCUST STREET

DES MOINES, IOWA 50309

SERIAL NUMBER: 60244385

PATENT NUMBER:

FILING DATE: 10/30/2000

ISSUE DATE:

MARCUS KIRK, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in fulfillment of a pre-existing obligation of assignment, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, as indicated below, unto

PIONEER HI-BRED INTERNATIONAL, INC. 800 Capital Square 400 Locust Street Des Moines, Iowa 50309

its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries in and to the invention in "NOVEL GLYPHOSATE N-ACETYL TRANSFERASE (GAT) GENES"

as set forth in this United States Patent Application

	executed concurrently herewith			
\boxtimes	executed on July 30, 2001			
冈	Serial No. 60/244,385 filed October 20, 2000			

said application for United States Letters Patent, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said applications, and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents and Trademarks of the United States of America being hereby authorized to issue or transfer all said Letters Patent to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right theretofore given, and that the undersigned will do all acts reasonably serving to ensure that the said inventions, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned if this assignment had not been made, and particularly to execute and deliver to said Assignee all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, and lawful affidavits in form and substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions or the history thereof and any and all documents, photographs, models, samples or other physical exhibits which may be of said inventions, and to testify in any proceedings relating to said inventions, patent applications, Letters Patent.